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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MATTS C. MADSEN, an Individual,

Plaintiff,

vs.

FISHERMAN'S LIFE LLC, a Florida Limited
Liability Company; AND DOES 1 TO 50,
INCLUSIVE.

Defendants.

Case No.: 3:21-cv-06859-EMC

**JOINT STIPULATION AND ORDER TO
EXTEND DEADLINE TO RESPOND TO
THE COMPLAINT**

Complaint Filed: 09/02/2021
Hon. Edward M. Chen

Pursuant to Federal Rule of Civil Procedure 6(b) and Civil Local Rule 6-1(b), Plaintiff Matts C. Madsen (“Plaintiff”) and Defendant Fisherman’s Life LLC (“Defendant”), by and through their counsel of record, hereby stipulate with respect to Defendant’s time to respond to the filed complaint as follows:

WHEREAS, On September 2, 2021 Plaintiff filed a complaint, which asserts claims against Defendant for trademark infringement (ECF No. 1);

WHEREAS, On September 10, 2021, the Court issued an order setting the initial Case Management Conference for December 7, 2021 (ECF No. 5);

WHEREAS, On September 16, 2021, Defendant executed a waiver of service and Plaintiff filed the waiver of service, extending the deadline for Defendant to answer to November 15, 2021 (ECF No. 8);

WHEREAS, on November 9, 2021, the Parties filed a Joint Stipulation to extend the deadline for Defendant to respond to the Complaint to and including January 7, 2022 (ECF No. 9);

1 WHEREAS, on November 10, 2021, the Court issued an Order granting the Parties Joint
2 Stipulation to extend the deadline for Defendant to respond to the Complaint (ECF No. 10);

3 WHEREAS, the Parties are currently engaging in a potential early settlement dialogue and
4 mutually agree that extending the deadline for Defendant to respond to the Complaint would be
5 beneficial for the parties to continue the settlement dialogue, thus preserving the Court's and the
6 Parties' time and resources and promote judicial efficiency;

7 WHEREAS, the Parties do not enter into this stipulation for the purpose of delay, and the
8 Court has not yet scheduled any pre-trial or trial dates;

9 WHEREAS, the Parties agree that Counsel for Defendant is specially appearing to sign
10 this stipulation and this special appearance does not waive any rights on Defendant's on
11 jurisdictional or venue issues; and

12 WHEREAS, no party will be prejudiced by the stipulated-to extension;

13 NOW THEREFORE, the Parties hereby stipulate and agree, subject to the Court's
14 approval, as follows:

- 15 1. The January 7, 2022 deadline for Defendant to respond to the Complaint is extended to
16 and including January 24, 2022.
- 17 2. The Initial Case Management Conference scheduled for March 8, 2022 is vacated.
- 18 3. The Stipulation is entered into without prejudice to any party seeking any interim relief.
- 19 4. Nothing in this Stipulation shall be construed as a waiver of any Party's rights or positions
20 in law or equity, or as a waiver of any defenses.

21 **IT IS SO STIPULATED.**

22 DATED: January 6, 2022

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24 /s/ Michael B. Indrajana
25 Michael B. Indrajana
26 Attorneys for Plaintiff Matts C. Madsen

DATED: January 6, 2022

HEA Law, PLLC

/s/ Darrin A. Auito

Darrin A. Auito, Esq.
Attorneys for Defendant Fisherman's Life LLC
(Specially appearing for this stipulation)

SIGNATURE ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3); the filer attests that all signatures listed, and on whose behalf the filing is submitted, concur in the filing's content, and have authorized the filing.

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: 1/12/2022


HONORABLE EDWARD M. CHEN
United States District Court Judge